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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,062	01/19/2001	Takeshi Misawa	0905-0255P-SP	6672
2292	7590	03/01/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			WILSON, JACQUELINE B	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/764,062	<b>Applicant(s)</b> MISAWA, TAKESHI	
	<b>Examiner</b> Jacqueline Wilson	<b>Art Unit</b> 2612	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 11/05/04 have been fully considered but they are not persuasive.

The applicant argues that the prior art fails to teach data which represents characteristics based on the structure of lenses that belong to a honeycomb-type solid-state electronic image sensor and/or circuit characteristics based on use of such a sensor are not written to the semiconductor memory 111. The examiner disagrees.

Fig. 14 of Sasaki et al discloses specific structure of the memory 111 as taught in fig.

12. Within this memory, circuit characteristics based on use of such a sensor (such as frequency of a horizontal clock pulse for driving the sensor 101, whether to use interlace or non-interlace method on the sensor, etc) are stored in header parts 201-208 (col. 7, lines 44+). Since Sasaki et al teaches that the image sensing unit may be a CCD or the like (col. 5, lines 5+), the examiner used Sekine to teach that it is notoriously well known to use a honeycomb image sensor as an alternate method of capturing images, and therefore would have been obvious to store information regarding the honeycomb sensor (such as driving the sensor). Therefore, the rejections are maintained. Please see discussion of newly added claims below.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al (US 6,515,698) and Sekine (US 4,602,289).

Regarding Claim 1, Sasaki et al teaches an image sensing unit (referred to as CCD 101/56 or the like; col. 5, lines 7-8), a first recording controller (106, 109, and 110 when the switch is up) for recording image data which is output from the image sensing unit on a recording medium (111), and a second recording controller (106, 109, and 110 when the switch is down) for recording data which represents characteristics based on the structure of lenses of the image sensor (fig. 14 discloses the number of pixels in the horizontal and vertical direction in element 202) and/or circuit characteristics based on use of the image sensor on the recording medium in association with the image data (col. 7, lines 40+). However Sasaki et al fails to teach the image sensing unit includes a honeycomb type solid-state electronic image sensor having a number of photoelectric transducers disposed in column and row directions wherein the photoelectric transducers for odd-numbered columns are placed in odd or even numbered rows and the photoelectric transducers for even-numbered columns are placed in even or odd numbered rows. Sekine teaches a honeycomb image sensor (fig. 1C) is notoriously well known in the art. The honeycomb image sensor is arranged wherein the pixels are disposed in odd numbered column and odd numbers rows, and even numbered columns and even numbered rows as shown in figure 1C. Since Sasaki et al teaches that a CCD well known in the art may be used, it would have been obvious to use the

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honeycomb arrangement as an alternate method of capturing images and storing characteristics (such as the structure [horizontal and vertical “lenses”] as well as driving frequencies) of the honeycomb sensor. Therefore, it would have been obvious to one having ordinary skill in the art to use a honeycomb type solid-state electronic image sensor for capturing images.

Regarding Claim 2, Sasaki et al teaches a storage device (inherently located in the system controller 109; col. 7, lines 40-43) for storing the data representing the characteristics, wherein the second recording controller records the data representing the characteristics on the storage medium (111), the data being read out of the storage device.

Claim 3 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 4 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 5 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 6 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 7 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 8 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Claim 9 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

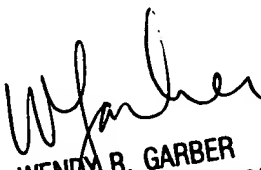
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacqueline Wilson whose telephone number is (703) 308-5080. The examiner can normally be reached on 8:30am-5:00pm (alternate Fridays off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JBW  
02/18/05

  
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